

# HOUSE BILL REPORT

## HB 1935

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**As Reported by House Committee On:**  
Health Care & Wellness

**Title:** An act relating to adult family homes.

**Brief Description:** Concerning adult family homes.

**Sponsors:** Representatives Morrell, Walsh, Cody, Orwall, Kenney, Bailey, Miloscia, Green, Kelley and Williams.

**Brief History:**

**Committee Activity:**

Health Care & Wellness: 2/12/09, 2/20/09 [DPS].

### Brief Summary of Substitute Bill

- Requires the Department of Social and Health Services to establish a specialty license recognizing adult family home operators who successfully complete the program at the School of Nursing.
- Voids restrictive covenants that have the effect of limiting the ability of people with disabilities to live in the residence of their choice, including adult family homes, are void.
- Sets the licensing and renewal fees for adult family homes in the biennial operating budget.

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### HOUSE COMMITTEE ON HEALTH CARE & WELLNESS

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Cody, Chair; Driscoll, Vice Chair; Ericksen, Ranking Minority Member; Bailey, Campbell, Clibborn, Green, Herrera, Hinkle, Kelley, Moeller, Morrell and Pedersen.

**Staff:** Dave Knutson (786-7146)

**Background:**

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Adult Family Homes are facilities that provide residential care and treatment for up to six individuals. They are typically located in residential neighborhoods. The Department of Social and Health Services (DSHS) is following a policy of meeting the residential care needs of clients in facilities with a home-like setting. As the elderly population increases, there will be a need for additional residential facilities in residential areas. The Legislature authorized the University of Washington through the School of Nursing to offer a geriatric certification and testing program for adult family home operators through a budget proviso in the biennial operating budget. The role of the DSHS in recognizing adult family home operators who successfully complete the program at the School of Nursing was not clearly defined.

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**Summary of Substitute Bill:**

The DSHS will establish a specialty license recognizing adult family home operators who successfully complete the program at the School of Nursing. Restrictive covenants that have the effect of limiting the ability of people with disabilities to live in the residence of their choice, including adult family homes, are void. The \$50 licensing and renewal fees for adult family homes are deleted, and the amount will be set in the biennial operating budget.

**Substitute Bill Compared to Original Bill:**

The \$50 licensing and renewal fees for adult family homes are deleted, and the amount will be set in the biennial operating budget.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date of Substitute Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Many people with disabilities are discriminated against because restrictive covenants prohibit them from living in an adult family home in residential neighborhoods. The Legislature established a special training program at the University of Washington School of Nursing for adult family home providers, but did not provide a mechanism for the DSHS to establish a specialty license recognizing providers who successfully complete the program.

(Opposed) None.

**Persons Testifying:** Representative Morrell, prime sponsor; Dan Simnioniw, Washington State Residential Care Coalition; Bonnie Bruce, Clark County Adult Family Home Association; and Louise Ryan, Long-Term Care Ombudsman.

**Persons Signed In To Testify But Not Testifying:** None.